

MORRIS OSTROWIECKI

APPLICANT'S NAME;

10/076,480

APPLICATION NUMBER;

02/19/2002

FILING DATE;

BYCICLE AIR PUMP

TITLE OF INVENTION;

LOPEZ, FRANK D
3745EXAMINER;
ART UNIT;

RESPONSE:

In response to the Official Action dated 06/24/2004, please amend the claims as follows:

In Claim 14, line 2-4, please delete "having a through hole ...therebetween";

In Claim 19, line 1, please change numeral "10" to numeral -18-;

COMMENTS

On page 2 of the Official Action, the examiner rejected "claims 14, 16, 17 and 19 under 35 USC 112 as being indefinite...".

The examiner states that in claim 14, "having a through hole... therebetween" is confusing, since there is already a through hole claimed. The applicant has amended claim 14, as suggested by the examiner.

The examiner states that in claim 16 line 3 claims that "a tail portion (75t)" ...extends past the circumference of the cylinder, and so contradicts the limitation of claim 10 last two lines. The applicant would like to bring to the examiners attention that, as shown in Fig. 9D, the tail portion 75t is flexible and can be twisted around the bottom of the air outlet portion 75, and accordingly, the tail portion 75t can fit within the circumference of the cylinder. Accordingly, the tail portion does not contradict the limitation of claim 10 last two lines.

The examiner states that claim 19 should depend from claim 18 to give "said air pressure indicating means" of lines 1-2 proper antecedent basis. The applicant has amended claim 19 to depend on claim 18, as suggested by the examiner.

The examiner further states that claim 17 is indefinite, since it depends on claim 16. claim 17 claims the "second through hole (75h) and a slot (75s) formed along...so that said tail portion can be locked therein...". Accordingly, no portion

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of the tail portion (75t) extends past the circumference of the cylinder, when said tail portion is twisted under the air outlet portion 75.

On page 3 of the Official Action, the examiner rejected "claims 10, 14-17 under 35 USC 103 as being unpatentable over Wu (6,017,196 in view of Ohashi.

The examiner states that Wu discloses a bicycle hand air pump comprising... but does not disclose that the through hole extends to a female connector, facing in the radial direction of the cylinder".

The examiner further states that Ohashi teaches "for a bicycle hand air pump comprising.... the through hole extends to a female connector, facing in a radial direction of the cylinder".

The examiner further states that "since the through holes in the outlet portions of Wu and Ohashi are functionally equivalent in the piston art; it would have been obvious at the time the invention was made to one having ordinary skill in the art to make the through hole of Wu extend to a female connector, facing in a radial direction of the cylinder, as taught by Ohashi, as a matter of engineering expediency."

The patent to Wu (6,017,196) does not disclose nor anticipate the female connector facing in the radial direction of the cylinder, as disclosed and claimed in claim 10 of the present invention. Nor would it have been obvious to do so. If it were obvious to change the facing direction of the female connector from the axial to the radial direction of the cylinder (as shown in Ohashi), Mr. Wu would have done so, since it is much easier to pump air when the female connector faces the radial direction as shown by the air outlet portion (74) of the present invention. This is clearly stated on page 23, paragraph 3 of the specifications of the present invention. Specifically, "As is well known, it is much harder to use a hand air pump than to use a foot-hand air pump since both hands are required in a hand pump, one hand pushing against the other to pump air, while in the foot-hand air pump, one or both hands is /are used to push the handle to pump air while the other end of the air pump is pressed against the ground. However, foot-hand air pumps are generally much larger than hand pumps and have many protruding parts....."

Furthermore, given the advantages of a foot-hand air pump over the hand air pump as mentioned above, and the fact that the patent to Ohashi (which teaches "for a bicycle hand air pump comprising.... the through hole extends to a female connector, facing in a radial direction of the cylinder") was granted before the patent to Wu, Mr. Wu still managed to miss the advantages of the inventive step of having "the female connector, facing in a radial direction of the cylinder" and accordingly, it would seem not to be "a matter of engineering expediency".

Furthermore, the structure of the air pump disclosed in the patent to Wu (6,017,196) seems to be defective or at least not complete. The patent to Wu, (column 3, end of second paragraph) discloses "a spring 13 is biased between the piston member 12 and the cap 14.". However, there does not seem to be any structure disclosed for keeping the spring 13 and cap 14 from falling out of the

cylinder 10, especially in view of the fact that this is an air pump and, accordingly, high air pressure will be generated inside the pump by the piston 12.

On page 4 paragraph 2, the examiner rejected claim 18 under 35 U.S.C 103 as being unpatentable over Wu (6,017,196) in view of Ohashi, as applied to claim 1 above and in view of Hung. The examiner states that "modified Wu discloses all the elements of claim 18, but does not disclose that the pump includes air pressure indicating means".

The examiner further states that Huang teaches "for a hand pump comprising...indicating means."

The examiner states that Wu (6017,196) and Huang are both from the same field of endeavor (hand pumps), the purpose disclosed by huang would have been recognized in the pertinent art of Wu (6017,196). and that it would have been obvious at the time the invention was made to....generated by the pump."

Claim 18 depends from claim 10, and since the applicant believes claim 10 to be patentable over the prior art, claim 18 is should also be allowed.

Accordingly, all the claims are believe to be allowable.

FURTHER, SHOULD ANY EXTENSION OF TIME FEES BE REQUIRED, APPLICANT
AUTHORIZES THE USPTO TO CHARGE IT TO APPLICANT'S ACCOUNT NUMBER 150720.

SINCERELY YOURS,
Morris Ostrowiecki
MORRIS OSTROWIECKI